



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,864	12/06/2000	Glen D. Tindal	CNTW-001/00US	1118
22903	7590	10/07/2004	EXAMINER	
COOLEY GODWARD LLP ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700 ONE FREEDOM SQUARE- RESTON TOWN CENTER RESTON, VA 20190-5061			ZHONG, CHAD	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,864

Applicant(s)

TINDAL ET AL.

Examiner

Chad Zhong

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 12-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 25-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/5/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Art Unit: 2154

DETAILED ACTION

Election/Restrictions

I. Restriction to one for following inventions is required under 35 U.S.C. 121:

I. Claims 1-11, 25-41 information retrieval and modification from a database, classified in class 369, subclass 13.01.

II. Claims 12-20, drawn to kiosk type information terminal, classified in class D14, subclass 900.

The inventions are distinct, each from the other because of the following reasons:
inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as in a system-lacking the posting capabilities, particulars, See MPEP § 806.05(d). Also the restriction requirement is based on the interpretation that every dependent claim is dependent on the preceding independent claim (note Applicant's claim numbering).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, different searches and their recognized divergent subject matter, and the search required for group I is not required for group II, restriction for examination purposes as indicated is proper.

During a telephone conversation with Wayne Stacy on 8/21/04 a provisional election was made with traverse to prosecute the invention of group I, claim 1-11 and 25-41. Applicant in responding to this Office Action must make affirmation of this election. Claim 12-20 are withdraw from further consideration by examiner, 37 CFR 1. 142(b), as being draw to a non-elected invention.

DETAILED ACTION

1. Claims 1-11, 25-41 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-11, 25-41 are rejected under 35 U.S.C. 102(e) as being anticipated by Dugan et al. (hereinafter Dugan), US 6,363,411.

4. As per claim 1, Dugan teaches a computerized method for configuring a network device, the method comprising the steps of:

retrieving a configuration record from a common repository of configuration records, the retrieved configuration record being associated with the network device (Col. 6, lines 45 – Col. 7, line 15; Col. 13, lines 20-25; wherein the device records are device specific and event specific);

modifying the retrieved configuration record (Col. 16, lines 20-25);

storing the modified configuration record in the common repository (Col. 16, lines 15-25; Col. 17, lines 44-54);

generating at least one device-specific command corresponding to the modified configuration record (Col. 17, lines 20-25; Col. 19, lines 25-31; table 2; Col. 26, lines 22-40, wherein Dugan's centralized database that has modification, add, delete functionalities, thus the data can be modified and then a command being generated from the database profile which is then sent to client; similarly, new profiles

can be added to the central location and execution is put onto the event bus then transferred to the various client nodes); and

transferring the generated first device-specific command to the network device (Col. 19, lines 25-31);

receiving an event notification at an event bus, the event notification being generated by the network device (Col. 30, lines 37-65);

wherein the step of retrieving the configuration record is initiated in response to the receiving of the event notification at the event bus (Col. 30, lines 37-65; Col. 47, lines 8-20; Col. 30, lines 35-64; wherein the retrieving of information for further processing depends on the various network events received.).

5. As per claim 2, Dugan teaches the computerized method of claim 1, further comprising the step of:

searching the common repository for the configuration record (Col. 26, lines 22-40);

wherein the configuration record is one of a plurality of configuration records stored in the common repository (Col. 26, lines 22-40).

6. As per claim 3, Dugan teaches the computerized method of claim 1, further comprising the step of:

publishing a message to an event bus (Col. 108, lines 45-60);

wherein the published message indicates that the retrieved configuration record has been modified (Col. 28, lines 1-15; Col. 30, lines 1-5).

7. As per claim 4, Dugan teaches the computerized method of claim 1, further comprising the step of:

verifying that the modified configuration record complies with a network policy (Col. 30, lines 35-63; Col. 63, lines 1-10; Col. 65, lines 17-28; Col. 27, lines 7-37).

Art Unit: 2154

8. As per claim 5, Dugan teaches the computerized method of claim 4, further comprising the step of:

publishing a work order to an event bus in response to verifying that the modified configuration record complies with a network policy (Col. 109, lines 19-30; Col. 27, lines 7-37).

9. As per claim 6, Dugan teaches the method of claim 1, further comprising the step of:

verifying the successful completion of the step of transferring the generated first device-specific command to the network device (Col. 31, lines 1-7).

10. As per claim 8, Dugan teaches the method of claim 1, wherein the step of generating the at least one device-specific command comprises the steps of:

retrieving a device-specific command template, wherein the device-specific command template comprises at least one variable field (Col. 31, lines 35-52); and

populating the at least one variable field with data included in the modified configuration record (Fig 6; Col. 31, lines 35-52).

11. As per claim 9, Dugan teaches the method of claim 8, wherein the retrieved configuration record indicates that the network device is from a particular manufacturer, and wherein the retrieved device-specific command template is unique to the particular manufacturer (Col. 16, lines 20-43; Claim 20).

12. As per claim 10, Dugan teaches the method of claim 8, wherein the retrieved configuration record indicates that the network device is a particular device type and wherein the retrieved device-specific command template is unique to the particular device type (Col. 16, lines 20-30).

13. As per claim 11, Dugan teaches the method of claim 1, wherein the step of retrieving the configuration record comprises the step of:

retrieving the configuration record from a distributed common repository (Col. 15, lines 45-55).

14. As per claim 25, Dugan teaches a system for configuring a network device, the system comprising:

at least a first processing element configured to execute instructions (Col. 19, lines 50-67);

at least a first memory device electronically coupled with the at least a first processing element (Col. 19, lines 50-67); and

a plurality of instructions stored on the memory device, the plurality of instructions configured to cause the at least a first processing element to perform the steps of (Col. 19, lines 50-67):

The remainder of claim 25 is rejected for the same reasons as rejection to combination of claims 1, 8 and 9 above.

15. As per claim 26-30, claims 26-30 are rejected for the same reasons as rejection to claims 2-6 above respectively.

16. As per claim 31, claims 31 is rejected for the same reason as rejection to claim 1 above.

17. As per claim 34-35, claims 34-35 are rejected for the same reasons as rejection to claims 10-11 above.

18. As per claim 38, claim 38 is rejected for the same reason as rejection to combination of claims 1, 8 and 9 above.

19. As per claim 39-41, claims 39-41 are rejected for the same reasons as rejection to claim 4, 1 and 8 respectively.

Conclusion

Art Unit: 2154

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

"Dynamic Configuration Of Network Devices To Enable Data Transfers".


- | | | |
|------|------------|--------------------|
| i. | US 6098094 | Barnhouse et al. |
| ii. | US 6170011 | McLeod Beck et al. |
| iii. | US 6438594 | Bowman-Amuah |
| iv. | US 6567406 | Skemer |
| v. | US 6615166 | Guheen et al. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
August 21, 2004


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100